



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/591,926	06/12/2000	Carol a. Lavelle	P4433	3688

7590 06/02/2004
Jeffery C. Hood
Meyertibs, Hood, Kivlin, Kowert & Goetzel PC
P.O. Box 398
Austin, TX 78767-0398

EXAMINER

YANCHUS III, PAUL B

ART UNIT	PAPER NUMBER
----------	--------------

2116

DATE MAILED: 06/02/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/591,926

Applicant(s)

LAVELLE ET AL.

Examiner

Paul B Yanchus

Art Unit

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 and 24-29 is/are rejected.
- 7) ☒ Claim(s) 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2116

DETAILED ACTION

This non-final office action is in response to communications filed on 3/22/04.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15, 17-19, 24-26 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ottesen et al., US Patent no. 5,87,292, in view of Lee, US Patent no. 6,341,354.

Regarding claims 1 and 7, Ottesen et al. teaches a method for managing power consumed by a computer system, comprising:

directing access intended for a device [disk storage device] coupled to said computer system to an alternate memory [temporary holding memory] in said computer system when said device is powered down [slower spindle speeds] during a power management state [low power operational mode] of said computer system [column 7, lines 22-50 and columns 19 and 20].

Ottensen et al. teaches performing the method for managing power when the device is in a low power mode. Specifically, Ottensen et al. teaches directing the access intended for a device to an alternate location when the device is in a low power mode. Ottensen et al. does not teach directing such access to an alternate location when the device is powered off.

Lee teaches a method for managing the power consumed by a computer system by placing the system into a partial operating state, in which peripheral devices, such as a hard drive, CD, or floppy drives, are powered off (col. 3 lines 1-27).

It would have been obvious for one of ordinary skill in the art at the time of the applicant's claimed invention to combine the teachings of Ottensen et al and Lee because both are commonly directed to the power conservation environment for a computer system. One of ordinary skill would have been motivated to also direct the access to an alternate location during a power off mode as well as the power down mode because such direction of access to an alternate location would have provided improved integrity of the access management system of Ottensen et al.

Regarding claims 2, 8 and 10, Ottesen et al. teaches performing the process of saving data to a disk drive [columns 19 and 20].

Regarding claims 3 and 4, Ottesen et al. maps data, intended for the disk drive, into a temporary holding memory [columns 19 and 20].

Regarding claim 6, Ottesen et al. teaches that that the temporary holding memory could be in RAM [column 7, lines 27-31].

Regarding claim 9, Ottesen et al. teaches reading data from the temporary holding memory [column 7, lines 33-36].

Regarding claim 11, Ottesen et al. teaches detecting an idle state of the computer system and removing power from the device in response to the detection [column 6, lines 58-67].

Regarding claims 12 and 13, Ottesen et al. and Lee teach a method of power management, as described above, but do not explicitly teach determining whether there has been

Art Unit: 2116

keyboard or mouse activities for a predetermined time before changing power modes. However, changing power modes based on mouse or keyboard activity is well known in the art. It would have been obvious to one of ordinary skill in the art to change power modes based on mouse or keyboard activity since mouse or keyboard activity indicates whether or not a computer system is being used. Power consumption can be accurately regulated according to the mouse or keyboard activity indications.

Regarding claims 14 and 15, Ottesen et al. teaches updating the device and mapping data

Regarding claims 17-19, Ottesen et al. and Lee teach a method of power management, as access back to the device after power is restored to the device [columns 19 and 20].described above, but do not explicitly teach directing access intended for a device of another computer in a network to an alternate memory space when the device is turned off. However, a second computer controlling devices on a first computer through a network is well known in the art. It would have been obvious to one of ordinary skill in the art to perform the teachings of Ottesen et al. and Lee on a device from another computer in a network to reduce power consumption of networked computers.

Regarding claims 24-26 and 29, Ottesen et al. and Lee teach a method for managing power consumed by a computer system, as described above. Therefore, Ottesen et al. and Lee also teach a system and instruction set for carrying out the method.

Claims 16, 20-22 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ottesen et al.,US Patent no. 5,87,292 and Lee, US Patent no. 6,341,354, in view of Nookala et al., US Patent no. 5,860,016.

Art Unit: 2116

Ottesen et al. and Lee teach a method of power management, as described above, but do not explicitly teach performing the method on a device that comprises a frame buffer. Nookala et al. teaches a method of managing power consumption by remapping frame buffers when a computer system switches operating modes [column 4, lines 4-23].

It would have been obvious to one of ordinary skill in the art to combine the power managing method taught by Ottesen et al. and Lee with the frame buffer remapping method taught by Nookala et al. Directing access intended for frame buffer to another memory when the frame buffer is powered off allows the computer system to further conserve power when in low power mode.

Response to Arguments

Applicant's arguments with respect to claims 1-8, 10-22 and 24-29 have been considered but are moot in view of the new ground(s) of rejection.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul B Yanchus whose telephone number is (703) 305-8022. The examiner can normally be reached on Mon-Thurs 8:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H Browne can be reached on (703) 308-1159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2116

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Paul Yanchus
May 25, 2004


LYNNE H. BROWNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3660 2/00